

Appl. No. 09/803,889
Amdt. dated April 8, 2004
Reply to Office action of January 14, 2004

REMARKS

In the Office action, claims 18-27 have been rejected. However, the Examiner indicates that claims 20, 24, 25 and 27 would be allowable if rewritten to overcome the rejections under of 35 U.S.C. §112 and to include all of the limitations of the base claim and any intervening claims.

Accordingly, applicant has amended the claims to overcome the rejections under 35 U.S.C. §112 and to include the limitations of the base claim and any intervening claims.

Moreover, applicant believes the Examiner's position regarding claim 20 is improper. Specifically, the Examiner states that claim 20 is inconsistent with the disclosure of the invention. Clearly, page 19 of the disclosure supports the temperature sensor being connected to the aircraft's vent and the wires being connected to the aircraft's power supply and ignition switch. Although, the wires may be connected in other arrangements, the disclosure does not mandate that the wires need be connected to the aircraft's flight instruments. Indeed, the application states that certain instruments (e.g., cockpit voice recorder) may *optionally* be connected to the recorder (see page 19, final paragraph). Thus, the identified limitation of claim 20, which has been incorporated into claim 18 via amendment, is not inconsistent with the disclosure thereby alleviating any concern regarding 35 U.S.C. §112.

Moreover, applicant's use of the term flight instruments, comprises an airspeed indicator, artificial horizon, altimeter and directional gyro-instruments used by the pilot in flying the aircraft, hence the term "flight." The use of the term flight instruments in claims 18 and 24 have been amended accordingly. Applicant contends that it is not necessary to amend the specification.

In addition, the Examiner states that the terms "low power" and "short communications range" of claim 21 are unclear. However, the specification clearly provides guidance regarding the meaning of "low power" and "short communications range." Specifically, page 16 recites in pertinent part that "[T]he power output is in the range of several milliwatts since the transceiver is designed to work over short distances, namely 50 to 100 meters." The sentence alone provides guidance for the meaning of the terms "low power" and "short communications range." Thus, the identified limitations of

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claim 21 are not unclear thereby alleviating any concern regarding 35 U.S.C. §112.

Please note that also attached is a Statement of Roland E. Quiros and a Supplemental Declaration and Power of Attorney for Patent Applications.

It is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are respectfully requested. Should any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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Date: April 8, 2004

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of fees which may be required by this paper to Deposit Account No. 502466 including any fee for extension of time, or the fee for additional claims which may be required. Please show our docket number with any Deposit Account transaction. A copy of this letter is enclosed.

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